

CHILD CARE ORGANIZATIONS (EXCERPT)
Act 116 of 1973

722.115h Application for or to renew license to operate foster family home or foster family group home; criminal history check required; procedures.

Sec. 5h. (1) Except as provided in subsection (7), when a person applies for or to renew a license to operate a foster family home or foster family group home under this act, the department shall request the department of state police to perform both of the following on that person:

(a) Conduct a criminal history check on the person.

(b) Conduct a criminal records check through the federal bureau of investigation on the person.

(2) Each person applying for a license to operate a foster family home or foster family group home shall give written consent at the time of application for the department of state police to conduct a criminal history check and a criminal records check required under this section. The department shall require the person to submit his or her fingerprints to the department of state police for the criminal history check and criminal records check described in subsection (1).

(3) The department shall request a criminal history check and criminal records check required under this section on a form and in the manner prescribed by the department of state police.

(4) Within a reasonable time after receiving a complete request by the department for a criminal history check on a person under this section, the department of state police shall conduct the criminal history check and provide a report of the results to the department. The report shall contain any criminal history record information on the person maintained by the department of state police.

(5) Within a reasonable time after receiving a proper request by the department for a criminal records check on a person under this section, the department of state police shall initiate the criminal records check. After receiving the results of the criminal records check from the federal bureau of investigation, the department of state police shall provide a report of the results to the department.

(6) The department of state police may charge the department a fee for a criminal history check or a criminal records check required under this section that does not exceed the actual and reasonable cost of conducting the check.

(7) Beginning January 1, 2008, if a person applying to renew a license to operate a foster family home or foster family group home under this act has previously undergone a criminal history check and criminal records check required under subsection (1) and has continuously maintained a license to operate a foster family home or foster family group home under this act after the criminal history check and criminal records check have been performed, that person is not required to submit to another criminal history check or criminal records check upon renewal of the license obtained to operate a foster family home or foster family group home under this act.

(8) The department shall provide written notice to all persons currently issued a license to operate a foster family home or foster family group home and all applicants applying for a license to operate a foster family home or foster family group home, that upon renewal all licensees will be required to submit fingerprints and undergo a criminal history check and a criminal records check before their licenses will be renewed. The notice provided under this subsection shall include information to the licensee that he or she may submit his or her fingerprints in advance of the time his or her license is up for renewal.

History: Add. 2007, Act 218, Eff. Jan. 1, 2008.

Popular name: Act 116

Popular name: Child Care Licensing Act